

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

June 14, 2012

**Elisabeth A. Shumaker
Clerk of Court**

DAVID PARKER, Warden,

Petitioner,

v.

TROY LEE HACKETT,

Respondent.

No. 12-709
(D.C. No. 4:11-CV-00322-GKF-TLW)

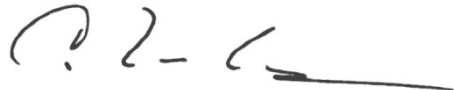
ORDER DENYING PERMISSION TO APPEAL

Before **TYMKOVICH, GORSUCH, and MATHESON**, Circuit Judges.

This matter is before the court on a petition for permission to appeal, filed pursuant to 28 U.S.C. § 1292 (b), by petitioner Warden David Parker. Warden Parker seeks permission to appeal from the district court's March 26, 2012 denial of his motion to dismiss.

Upon consideration of the petition for permission, and the file as a whole, the petition for permission to appeal is DENIED.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk



by: Christine Van Coney
Counsel to the Clerk